

## Message Text

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ORIGIN L-02

INFO OCT-01 EUR-12 ISO-00 EB-07 IO-10 SAJ-01 NIC-01 ACDA-05

CIAE-00 DODE-00 PM-03 H-02 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 NSCE-00 SSO-00 USIE-00

INRE-00 /075 R

DRAFTED BY L/EUR:DHSMALL:MF

APPROVED BY L/EUR:HSRUSSELL

L/T:SNILSEN

EUR/CE:GRUECKERT

EB/CBA/BP:HWINTER

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O R 142136Z MAR 75

FM SECSTATE WASHDC

TO AMEMBASSY BONN IMMEDIATE

INFO AMEMBASSY BERLIN

USMISSION USBERLIN

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E.O. 11652: N/A

TAGS: GE, GW

SUBJECT: GDR ACCESSION TO AND RE-APPLICATION OF TREATIES

REF: BONN 3155

1. DEPT IS OF THE VIEW THAT GDR ACCESSION TO OR  
RE-APPLICATION OF PRE-WORLD WAR II GERMAN TREATIES, AS  
WELL AS ITS ACCESSION TO POST WAR MULTILATERALS  
PRIOR TO RECOGNITION BY U.S. HAS RESULTED IN SUCH  
TREATIES BECOMING EFFECTIVE BETWEEN THE U.S. AND THE G.D.R.  
AS FROM APRIL 2, 1973, THE DATE OF THE FIRST U.S. VOTE,  
WITHOUT STATUS DISCLAIMER, FOR G.D.R. ADMISSION TO AN  
INTERNATIONAL ORGANIZATION AS A MEMBER STATE, EXCEPT  
IN SUCH CASES WHERE PRIVATE RIGHTS MAY BE INVOLVED.  
WE PROPOSE TO INFORM THE APPROPRIATE DEPOSITARIES OF THIS  
DETERMINATION BY NOTE. OUR NOTES WOULD BE CAST IN TERMS  
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OF THE AGREEMENTS BEING QUOTE REGARDED BY THE UNITED

STATES AS APPLICABLE IN ITS RELATIONS WITH THE GERMAN  
DEMOCRATIC REPUBLIC AS FROM APRIL 2, 1973 UNQUOTE.

2. WE HAD NOT CONSIDERED IN THIS CONNECTION THE OPTION  
FAVORED BY UK OF DEEMING POSITIVE ACCEPTANCE BY EACH  
PARTY AS ESSENTIAL TO POST-WAR RE-APPLICATION BY G.D.R.  
OF MULTILATERALS TO WHICH GERMANY WAS PARTY. UK  
OPTION RESULTS IN THESE CONVENTIONS BECOMING APPLICABLE  
BETWEEN UK AND GDR ON DATE OF UK'S NOTICE OF ACCEPTANCE.  
WE SEE NO PARTICULAR ADVANTAGE IN IT WHERE TREATIES DO  
NOT AFFECT PRIVATE RIGHTS AND REQUIRE NEW LEGISLATION

REGARDING THE GDR AS A NEW PARTY. WE ARE AWARE OF NO  
SUCH CASES FOR U.S. WE DEEM OURSELVES TO HAVE ACQUIESCED  
TO G.D.R. RE-APPLICATION AS OF THE DATE OF OUR RECOGNI-  
TION THAT THEY POSSESSED THE REQUISITE LEGAL CAPACITY.  
OUR NOTES TO DEPOSITARIES WOULD SIMPLY SERVE TO REMOVE  
ANY DOUBT ON THE QUESTION OF EFFECTIVE DATE. HOWEVER,  
IF THERE IS INTEREST IN A UNIFORM ALLIED APPROACH, WE  
WOULD BE PREPARED TO CONSIDER REVISING OUR PLANS.

3. IN CASES OF TREATIES WHICH AFFECT PRIVATE RIGHTS,  
SUCH AS THE PARIS INDUSTRIAL PROPERTY CONVENTION, WE  
WILL PROBABLY INDICATE A FUTURE DATE; SO THAT THERE  
CAN BE A PERIOD OF PUBLIC NOTICE IN THE U.S. PRIOR TO  
THE ENTRY INTO FORCE OF THE CONVENTION. INGERSOLL

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TREATY ENFORCEMENT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 14 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE057998  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** DHSMALL:MF  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750090-0558  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750348/aaaabreh.tel  
**Line Count:** 87  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 BONN 3155  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MorefiRH  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 20 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <20 MAY 2003 by ElyME>; APPROVED <20 MAY 2003 by MorefiRH>  
**Review Markings:**

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**Review Referrals:** n/a  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GDR ACCESSION TO AND RE-APPLICATION OF TREATIES  
**TAGS:** PFOR, GC, GE, UK, FR  
**To:** BONN  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006